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WAR FOOD ADMINISTRATION
OFFICE OF MARKETING SERVICES
Washington 25, D. C.

January 22, 1945

With the assistance of the Bureau of Plant Industry, Soils, and Agricultural Engineering, this Division is looking forward to making recommendations that the States' noxious-weed seed requirements be adopted on a regional basis. It is believed that such a plan is fully justified on the basis of the distribution of the weed flora, ecological factors, and agronomic practices. Adoption of this plan by the States would result in greater uniformity in labeling requirements and would probably serve a greater agronomic purpose than is now the case.

In compiling the lists of noxious weeds, we believe it is advisable to omit those weeds which do not produce viable seeds or whose seeds are not disseminated in agricultural or vegetable seeds. We have no records which show that seeds of certain weeds occur in agricultural or vegetable seeds and are requesting the laboratories which are most likely to encounter seeds of such weeds to assist us in compiling such records. The enclosed table may serve as a guide should you be able to send us the desired information.

It appears that in a few instances seeds of plants considered primary noxious will have to be excluded from the primary noxious-weed seed list because certain crops are not produced free of such weed seeds and cannot be cleaned to be free of such weed seeds. Some examples are Johnson grass seed occurring in Sudan grass seed and Dallis grass seed, Bermuda grass seed in white and hop clovers, and quackgrass seed in seed of smooth brome. The distribution of the crop containing the primary noxious-weed seed is, of course, undesirable; however, until such time as it becomes possible to produce or clean the crop free of the noxious-weed seed it will no doubt be necessary to make some provisions that will permit the sale of the crop in question. If this should be regarded as desirable, a question is raised as to whether it would be necessary to provide a restriction on the rate of occurrence of that particular noxious-weed seed in the crop from which it cannot be separated or whether seed of the crop should merely be labeled to show the rate of occurrence of the noxious-weed seed. We would appreciate being advised of your views relative to this.

A tentative proposal for purposes of discussion is enclosed. Please give us your reaction and suggestions for improvement.

Very truly yours,

W. A. Davidson
W. A. Davidson
Chief, Seed Division
Grain Products Branch

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Information requested for certain noxious-weed seeds

Species of weed	Crop seed in which found	No. samples in which weed seed is found	Total No. samples examined	No. years on which records are based
<u>Euphorbia esula</u>				
<u>Rorippa austriaca</u>				
<u>Tribulus terrestris</u>				
<u>Alhagi camelorum</u>				
<u>Helenium tenuifolium</u>				
<u>Cyperus rotundus</u>				
<u>Cenchrus spp.</u>				
<u>Hypericum perforatum</u>				
<u>Solanum elaeagnifolium</u>				
<u>Helianthus ciliaris</u>				
<u>Centaurea repens</u>				

TENTATIVE SUGGESTIONS RELATIVE TO UNIFORM
NOXIOUS-WEED SEED REQUIREMENTS

In an effort to effect uniformity of noxious-weed seed requirements, it seems first of all necessary to reach an agreement with respect to what constitutes a noxious weed and what restrictions or requirements will be imposed upon the seeds of plants agreed upon to be noxious. The "Suggested Uniform State Seed Law" contains a definition of primary noxious-weed seeds and secondary noxious-weed seeds. It has been suggested that the definition of noxious-weed seeds be amended to read as follows:

"Noxious-weed seeds shall be seeds that are disseminated in seed subject to this act and shall be divided into two classes, 'primary noxious-weed seeds' and 'secondary noxious-weed seeds' which are defined in (1) and (2) below.

(1) 'Primary noxious-weed seeds' are the seeds of perennial weeds such as not only reproduce by seed but also spread by underground roots and stems, and which when established, are highly destructive and are not controlled in this State by cultural practices commonly used.

(2) 'Secondary noxious-weed seeds' are the seeds of such weeds as are very objectionable in fields, lawns and gardens in this State and are difficult to control by cultural practices commonly used."

The "Suggested Uniform State Seed Law" provides that it shall be unlawful to sell seed containing any primary noxious-weed seeds. It provides also that the name and number per ounce or the name and number per pound of secondary noxious-weed seeds be shown upon the label if they are present at a rate in excess of 1 in 5 grams, 10 grams, 25 grams, and 100 grams of seeds grouped in accordance with their size and weight. A study of recently enacted State seed laws to determine the extent to which suggestions are being followed indicates that the noxious-weed seed requirements may be broken down into five distinct categories presented in order of their apparent severity as follows, the most severe being first:

Out of a total of 28 States
with laws enacted since 1940

1. Prohibits the sale of seed containing any of certain noxious- weed seeds considered primary.	19
2. Prohibits the sale of seed containing certain primary noxious- weed seeds in excess of a rate such as 1 in 5 grams, etc., or 200 or 500 per lb., etc.	14
3. Prohibits the sale of seed contain- ing certain secondary noxious-weed seeds in excess of a given rate.	12
4. A requirement that the labels show the name and number per ounce or pound if the seed contains any of the applicable noxious-weed seeds.	11
5. A requirement that the labels show the name and number per ounce or pound if the seed contains the applicable noxious-weed seed at a rate in excess of 1 in 5 grams, etc.	18

It will be noted that the noxious-weed seed requirements in the "Suggested Uniform State Seed Law" include 1 and 5 above. In other words, the suggested requirements are the two extremes. A number of States have failed to follow the suggestions. If the reason for the departure is determined the suggested law may be improved. The failure to follow "1" may be due to impracticability of enforcement after including too many species as primary noxious. Failure to follow "5" may be due to its lack of real help to the buyer of seed. With this in mind the following proposals are made on the assumption that the primary noxious-weed seeds will be restricted in number of species and would be subject to the requirements in paragraph numbered "1" and secondary noxious-weed seeds would be subject to the requirements in the paragraph numbered "4." This has the tendency to increase the severity but this seems consistent if the list of noxious weeds is confined to those that fully comply with the definitions.

The following seeds are known to be noxious in certain States but it is believed that they do not come under the above definition of noxious weeds as they are not known to us to be disseminated in seeds commercially:

Leafy spurge
Austrian field cress
Nutgrass "except by tubers in peanuts"

Puncture vine
Camels' thorn
Bitter weed
Sandspur

The following are considered to be noxious weeds but it is not known to us whether or not seeds of these weeds are disseminated in seeds commercially:

Russian knapweed
St. John's-wort

White horsetail
Texas blueweed

Wild garlic or wild onion is considered to come under the definition of primary noxious weeds but is not included in these lists as it would be impractical in the production, processing and marketing of seeds.

The following weeds are included in some of the State seed laws at the present time but are not believed to come within the above definitions:

Wild carrot
Sheep sorrel
Plantains spp.
Docks spp.
Ox-eye daisy
Crabgrass spp.
Ragweed spp. (except perennial
 ragweed)

Dog fennel
Wild oat
Hedge bindweed
Wild morning-glory
Chicory
Hawkweeds spp.
Russian thistle

The lists of noxious weeds for Region 3 were kept at a minimum in accordance with the expressions of State seed control officials who met in New York in September 1944. In preparing the list for Region 1 the recommendations of State seed control officials who met in Salt Lake City, Utah, in May 1944 were followed with the exception that seeds of those weeds which are not disseminated in seed were eliminated from the lists. Wild onion, wild mustard, and fanweed were added to the list of secondary noxious weeds as it was believed that they fell within the definitions and were distributed in agricultural seed in this area. Because California is considered a separate region few changes were made from the present seed laws of that State. The recommendations of seed control officials of the Southern States which met in Atlanta, Georgia, in January 1942 were followed with a few modifications in preparing the list for Region 8. The present list of primary noxious weeds would prohibit the sale of seed containing certain noxious-weed seeds; whereas, the Atlanta recommendation did not provide for this. Plantains, docks, and sheep sorrel were not included in the present recommendations in accordance with interpretation already set out that they do not come under the definition of secondary noxious weeds. Regions 5, 6, and 7 are both North-South and East-West transitional areas for certain weeds and a weed may be classified as noxious for a given State when it occurs only in a small section of that State - for example, Johnson grass in Ohio or whitetop in Illinois.

Noxious Weed Regions
and
Primary and Secondary Noxious-Weed Seeds

<u>Region 1</u>	<u>Primary</u>	<u>Secondary</u>
Washington	Bindweed	Dodder
Oregon	Quackgrass	Fanweed
Idaho	Canada thistle	Povertyweed
Montana	Sowthistle	Wild onion
Wyoming	Whitetop	White horsetettle
Nevada	St. John's-wort	Mustard
Utah	Russian knapweed	Blue flowering lettuce
Colorado		
<u>Region 2</u>	<u>Primary</u>	<u>Secondary</u>
North Dakota	Bindweed	Dodder
South Dakota	Quackgrass	Fanweed
Minnesota	Canada thistle	Horsenettle
Wisconsin	Sowthistle	Mustard
Michigan	Whitetop	Corncockle
Nebraska	Russian knapweed	Hoary allysum
Iowa		
<u>Region 3</u>	<u>Primary</u>	<u>Secondary</u>
New York	Bindweed	Dodder
New England (all)	Quackgrass	Horsenettle
Pennsylvania	Canada thistle	Mustard
		Wild onion
		Wild radish
		Sowthistle
		Corncockle
<u>Region 4</u>	<u>Primary</u>	<u>Secondary</u>
California	Bindweed	Dodder
	Quackgrass	Yellow Star
	Canada thistle	Thistle (<i>Centaurea</i> spp.)
	Johnson grass	Alkali mallow
	Bermuda grass	Povertyweed
	Sowthistle	
	Texas blueweed	Gaura spp.
	White horsetettle	Yellow nutgrass (<i>Cyperus esculentus</i>)
	Whitetop (<i>Lepidium draba</i>)	
	(<i>Lepidium repens</i>)	
	(<i>Hymenophyllum pubescens</i>)	
	Perennial peppercress (<i>Lepidium latifolium</i>)	
	Russian knapweed	Mustard
	St. John's-wort	

<u>Region 5</u>	<u>Primary</u>	<u>Secondary</u>
Kansas	Bindweed	Dodder
Missouri	Quackgrass	Sowthistle
Illinois	Canada thistle	Horsenettle
Indiana	Johnson grass	Corncockle
Ohio	Whitetop	Wild onion
<u>Region 6</u>	<u>Primary</u>	<u>Secondary</u>
Kentucky	Bindweed	Dodder
West Virginia	Quackgrass	Horsenettle
Virginia	Canada thistle	Corncockle
Maryland	Johnson grass	Wild onion
Delaware	Bermuda grass	Cheat or Chess
New Jersey		
<u>Region 7</u>	<u>Primary</u>	<u>Secondary</u>
Arizona	Bindweed	Dodder
New Mexico	Johnson grass	Horsenettle
Texas	Bermuda grass	Cheat or Chess
Oklahoma	Texas blueweed	Darnel
	White horsenettle	Corncockle
	Nutgrass	
<u>Region 8</u>	<u>Primary</u>	<u>Secondary</u>
Arkansas	Bindweed	Dodder
Louisiana	Johnson grass	Horsenettle
Mississippi	Bermuda grass	Wild onion
Alabama	Nutgrass	Chess or Cheat
Tennessee		Darnel
Georgia		Corncockle
Florida		
South Carolina		
North Carolina		

